

REMARKS

Reconsideration of this application in light of the present amendment and remarks is respectfully requested. In the present response, claims 1 and 6-9 have been canceled, and claims 2-5, 10, and 11 have been amended. Claims 2-5, 10, and 11 remain pending in this application.

Substantive matters

Claims 1, 6, 7, and 9 have been rejected under 35 USC 102(e) as being anticipated by Ishizuka (U.S. Patent 6,850,015 B2). These rejections are now moot in view of Applicant's cancellation of those claims.

Claims 2-5, 8, 10, and 11 have been indicated as having allowable subject matter. More specifically, claims 2-5, 8, 10, and 11 have been objected to as being dependent upon rejected base claims, but have been indicated to be allowable if rewritten in independent form to include all limitations of the base claims and any intervening claims. In response:

(i) Claims 2, 4, and 5 have each been recast in independent form to include all substantive limitations of base claim 1, substantially in accordance with Examiner's suggestions. Applicant notes that, in amending claims 2, 4, and 5, some of the wording that was originally present in claim 1 has been modified so as to place claims 2, 4, and 5 in a form that is more consistent with accepted U.S. claim practice. For instance, the preambles of claims 2, 4, and 5 recite "comprising" instead of "having the following features." Moreover, amended claims 2, 4, and 5 do not include the unnecessary recitation "characterized in that the operating device comprises the following features." Applicant submits that these minor modifications to the wording that was originally present in claim 1 do not affect the substantive allowability of amended claims 2, 4, and 5. Accordingly, claims 2, 4, and 5 are now in a condition for allowance.

(ii) Claim 3 has not been recast in independent form because that claim is dependent upon amended claim 2, which is now in a condition for allowance. Applicant has made modified some of the wording (e.g., “characterized in that” has been replaced by “wherein”) that was originally present in claim 3 in order to place claim 3 in a form that is more consistent with accepted U.S. claim practice. Applicant submits that these minor modification to the wording that was originally present in claim 3 do not affect the substantive allowability of amended claim 3. Accordingly, claim 3 is now in a condition for allowance.

(iii) Applicant has elected to cancel claim 8 (although it has been indicated as having allowable subject matter) in order to avoid any formal problems that may be present in the wording/context of that claim.

(iv) Claim 10 has been recast in independent form to include all substantive limitations of base claim 9, substantially in accordance with Examiner’s suggestions. Applicant notes that, in amending claim 10, some of the wording that was originally present in claim 9 has been modified so as to place claim 10 in a form that is more consistent with accepted U.S. claim practice. For instance, the preamble of claim 10 recites “the method comprising the steps of” instead of “that comprises the following steps.” Applicant submits that these minor modifications to the wording that was originally present in claim 9 do not affect the substantive allowability of amended claim 10. Accordingly, claim 10 is now in a condition for allowance.

(v) Claim 11 has not been recast in independent form, but has instead been amended to now depend upon claim 10 (rather than claim 9, which has been canceled), which is now in a condition for allowance. Applicant considers the dependency upon claim 10 to be desirable in order to avoid any formal problems (e.g., antecedence) regarding the recitation “further stored characteristic curve.” Additionally, claim 11 has been amended so as to effectively replace “characterized in that an increase in the warm-up lamp current” (which lacks

any antecedent basis in base claim 10) with "wherein the step of raising the warm-up lamp current." Applicant submits that this minor modification to the wording that was originally present in claim 11 does not affect the substantive allowability of amended claim 11. Accordingly, claim 11 is now in a condition for allowance.

Therefore, amended claims 2-5, 10, and 11 are now in a condition for allowance.

In view of the foregoing amendment and remarks, passing of this case is now in order. Examiner is invited to contact Applicant's agent by telephone if such communication may be helpful in the further examination of this case. A Notice of Allowance is earnestly solicited.

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Respectfully submitted,

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